

Title:	Fitness for Duty Medical Evaluations	
Purpose:	To establish procedures for medical evaluations to determine an employee's fitness for duty.	
Issued by:	Health Services	Date: February 15, 2005
References:	Civil Service Rules §9-2(b)	

The appointing authority may request a fitness for duty medical evaluation whenever it is necessary to determine the employee's ability to perform the essential functions of the employee's present position, or to perform the essential functions of the employee's position in such a manner that would not pose a direct threat to the health and safety of the employee or to others. The request should be initiated based on the observed performance or conduct of the employee, or other appropriate reliable information. Upon request of the employee, the Director of Human Resources (Director) may authorize an examination by the employee's own physician at the employee's own expense. The City's designated physician shall make the final evaluation of the employee's medical fitness for duty.

I. PROCEDURES FOLLOWED BY APPOINTING AUTHORITY

- A. The appointing authority or designated representative shall make the request for a fitness for duty evaluation in writing to the Health Services Division (HSD).
- B. The request should document that the fitness for duty referral is job related and based on business necessity and should indicate the basis for the belief, based on objective evidence that the employee's ability to perform essential job functions is impaired by a medical condition, or the employee poses a direct threat due to a medical condition.
- C. The employee's job description and position physical effort analysis should be included with the written request for the medical evaluation.
- D. If the assistance of an outside specialist(s) is required to assist the City's designated physician in making a determination of the employee's fitness for duty, the costs of the additional examination(s) shall be the responsibility of the employing department.

II. PROCEDURES FOLLOWED BY HEALTH SERVICES DIVISION (HSD)

- A. The HSD will review the request to ensure sufficient information is provided to determine the type and scope of the medical evaluation, requesting additional information as necessary. The medical evaluation will be job related and consistent with business necessity and restricted to consideration of the medical condition related to the reported performance, conduct or other reliable information provided. The objective of the medical evaluation will be to determine whether the employee is able to safely perform the essential job functions of the position or if the employee poses a direct threat due to a medical condition.
- B. Consultation with the employee's personal physician or the City's Workers' Compensation Branch, including review of lab studies and surgical reports, may be required in order to complete the fitness for duty evaluation.

- C. An examination and/or evaluation by an outside medical specialist(s) may be required to assist the City's designated physician in completing the fitness for duty evaluation.

III. PROCEDURES FOLLOWED BY THE EMPLOYEE

- A. The employee will attend the scheduled appointment with the City's designated physician or examiner and fully cooperate with the evaluation process, or submit a request for authorization to be examined by a personal physician of the employee's choice at the employee's own expense.
- B. The employee will provide sufficient documentation to allow the City's designated physician or examiner to complete the fitness for duty evaluation. In some cases, a written authorization allowing for the release of relevant medical records may be required.

IV. PROCEDURES FOLLOWING FITNESS FOR DUTY EVALUATION.

- A. If the City's designated physician or examiner determines the employee can safely continue working in the employee's position, the employee's department shall be notified that the employee is fit for duty.
- B. If the City's designated physician or examiner determines the employee cannot safely perform the essential functions of the position, written notification shall be sent to the appointing authority identifying the function(s) and/or job requirement(s) the employee cannot perform. The notification should also indicate, where known, whether the limitation(s) is permanent or temporary, and if temporary, the estimated duration. The City's designated physician or examiner may include recommended accommodations for consideration by the appointing authority that would allow the employee to return to work, either temporarily or permanently, in a modified position.
- C. In determining if a person is qualified for continued employment, the appointing authority shall review medical as well as other pertinent information from the City's designated physician or examiner, the employee, and any other appropriate source regarding the person's ability to safely perform the essential functions of the position. The review and evaluation of information shall include, when applicable, discussion with the employee regarding possible reasonable accommodations that would permit the employee to perform the essential functions of the position.
- D. If it is determined that an employee cannot safely perform the essential functions of the position, and the department is unable to provide reasonable accommodations, where applicable, or other suitable employment for the employee, the appointing authority shall notify the Director in writing prior to taking any action. The notification shall outline the proposed action of the appointing authority regarding the employee's continued employment, and provide justification for the action proposed.
- E. Upon concurrence by the Director and in accordance with the Civil Service Rules, the appointing authority shall notify the employee in writing of the reason(s) for the disqualification and the action being taken. Options available for the department may include, but are not limited to:

1. Placement of the employee into another position within the City compatible with the employee's ability.
2. Termination of the employee if no other acceptable position is available.